



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Attorney Docket No. BUR919990222US2

AF/37298  
#13  
appeal  
E. Fayth  
1/15/04

In re application of:

ERIC ADLER

Serial No.: 10/057,185

Filed: JANUARY 25, 2002

For: METHOD OF FABRICATING A  
CAPACITOR HAVING SIDEWALL  
SPACER PROTECTING THE  
DIELECTRIC LAYER

Examiner: TUGBANG, A.D.

Art Unit: 3729

NOTICE OF APPEAL

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants appeal to the Board of Patent Appeals and Interferences the Examiner's final rejection of Claims 1-7, 9-17 and 19-22 as noted in the Advisory Action mailed on September 30, 2003.

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TECHNOLOGY CENTER R3700

CERTIFICATE OF MAILING UNDER 37 CFR § 1.8(a)	
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on <u>December 11</u> , 2003.	
<u>Catherine D. Nelson</u> (Typed or printed name of person mailing paper of fee)	<u>Catherine D. Nelson</u> SIGNATURE of person mailing paper or fee

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Please charge the \$330.00 fee for this Notice of Appeal to IBM Corporation Deposit Account No. 09-0456. Please charge any additional fees that may be required, including fees for extension of time, to IBM Corporation Deposit Account No. 09-0456.

Respectfully submitted,

A handwritten signature in cursive script, reading "Brian F. Russell", is written over a horizontal line.

Brian F. Russell

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